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### **Comments: Water Bills Great Lakes and Environment Committee**

Potato Growers of Michigan, Inc. thanks the Senate Committee on Natural Resources and Environmental Affairs for the consideration given to agriculture in this important legislation. At this juncture these points need to be made:

#### **Assessment Tool**

- Farm equipment is used to make a farm profitable. Sometimes it does not perform as advertised. Unsatisfactory farm equipment is sent back to the dealer.
- The Assessment Tool portion of this package of bills must meet the same standard as all other farmer-used products. The specifications have been built in by legislation. Unlike other farm tools, this one cannot be returned if its performance varies from ground-truth evidence.
- We strongly urge you to provide a ground-truth process for at least one year from the date of the Assessment Tool's public release, maintaining the current stream setbacks during that period. Michigan geology is vast and variable. Most of the subsurface is a complex of diverse deposits left from countless traverses of ice sheets across the terrain through a period of 100,000 years. The subsurface complexity impairs predictability. The Tool can provide a method of on-site evaluation. But if the parameters are wrong, that is another matter.
- We simply don't know because it is impossible to predict how the final product will function.

#### **Permitting**

- The current threshold for permits is withdrawal of more than 2,000,000 gallons per day. As a stand-alone figure it may appear huge, but it needs a context. Today the Grand River is moving 2,000,000 gallons under the Michigan Avenue bridge in less than 90 seconds.
- In irrigation, 2,000,000 gallons is the approximate upper limit for equipment commonly used in Michigan. Around-the-clock pumping does not reach that figure.
- Reducing that permitting threshold could severely affect our ability to farm efficiently.

### **Rejection of the Compact**

- The discussion has come full circle to testimony presented months ago. What if other states do not adopt the Compact? News stories suggest Wisconsin and Ohio plan to amend the Compact to their own favor. Since the Compact is not amendable by individual states, such action is tantamount to rejection.
- Lawyers indicate the Compact's predecessor, the Great Lakes Charter, will not stand up to legal challenges. So other states would ultimately be free to divert Great Lakes water. Michigan would be bound by legislation restricting use of our most abundant natural resource while others would have free access to Great Lakes water. Is that sensible for Michigan?
- The bite the legislature is taking here is no small matter. Michigan's future is on the table. Agriculture is a shining star. Michigan farmers can play an expanding role in global bioenergy and food needs. Investment and construction to take advantage of buy-local energy-saving opportunities are occurring all around the state.

### **Additional Points**

- If a shift from surface irrigation to groundwater irrigation is made, grandfathering needs to be transferred to the new use.
- For those who have not previously reported water use, time to develop a new baseline should be provided.
- Warm and cool streams with watersheds of less than six square miles need to be removed from the scope of the Assessment Tool.

Potato Growers of Michigan, Inc. will continue to work to be sure our local legislators understand our position, concerns and expectations.